



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/556,143

11/08/2005

Gautam Dharamdas Goradia

KRISHNA.GORADIA.PT1

4670

24943 7590 11/09/2007
INTELLECTUAL PROPERTY LAW GROUP LLP
12 SOUTH FIRST STREET
SUITE 1205
SAN JOSE, CA 95113

EXAMINER

CARLOS, ALVIN LEABRES

ART UNIT

PAPER NUMBER

4138

MAIL DATE

DELIVERY MODE

11/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/556,143

Applicant(s)

GORADIA, GAUTAM
DHARAMDAS

Examiner

Alvin L. Carlos

Art Unit

4138

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 November 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 26, 28, 30, 35-36, 41, 44, 45-46, 52 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Regarding claims 26, 28, 30, 35 and 45, the phrase "like" renders the claims indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

4. Claims 35, 41, 44, 46, and 52 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 35, it is not clear whether the module for allowing the user to create or print tests or quizzes or combination for both.

Re claim 41, it is not clear whether the claimed limitations including animation or sound files, or associate more information to a record or combination of both.

Re claim 44, it is not clear whether allowing a user to print the reports or graphs or combination of both.

Art Unit: 4138

Re claim 46, it is not clear whether a specified number of days or specified number of times or based on a score in a self-evaluation test or combination of both.

Re claim 52, it is not clear whether the modules and utilities are adapted within a browser or other viewing or processing programs or combination of both.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 25-32, 35-40, 42, 44, 48-49 are rejected under 35 U.S.C. 102(b) as being anticipated by Sonnenfeld 6112049.

Re claim 25, Sonnenfeld teaches an interactive system for building, organizing, and sharing one's own databank of questions and answers in a variety of questioning formats using a computer system (column 1 lines 56-60), comprising a user interface (column 3 lines 43-44), well-classified databases to store data user wise including a user database (column 3 lines 46-48), well classified data input, organizing and management module (column 4 lines 40-44), modules for sharing, invoking, storing, evaluating, and improving one's knowledge using the data from the databank, said data having been selected by a user by "FIND" conditions (column 5 lines 7-8), and a control system acting as a bridge between the user interface and the databases (column 8 lines 46-48).

Re claim 26, Sonnenfeld teaches data input organizing and management module allows the user to classify the data by classifications (column 14 lines 20-25).

Re claim 27, Sonnenfeld teaches the modules including a question bank--rapid entry module for allowing the user to build questions and answers rapidly by minimum classifications (column 15 line 56).

Re claim 28, Sonnenfeld teaches the question bank--rapid entry module allows the user to classify the data by classifications (column 15 lines 56-60).

Re claim 29, Sonnenfeld teaches the modules include a comprehension bank module for allowing the user to build and share a databank of passages by well-defined classifications (column 17 lines 12-14), questions and answers based on passages in various questioning formats (column 2 lines 5-11), such that the user acquires an improved comprehension of said passages (column 17 lines 17-24).

Re claim 30, Sonnenfeld teaches comprehension bank module allows the user to classify the data by well-defined classifications (column 25 lines 28-46).

Re claim 31, Sonnenfeld teaches the comprehension bank module allows the user to export the questions and answers based on the passages to the data input organizing and management module by "FIND" conditions (column 26 lines 21-34).

Re claim 32, Sonnenfeld teaches the modules including a practice session module for allowing the user to invoke and store a practice session for continuous improvement of one's knowledge on any subject, using the data from the databank by "FIND" conditions (column 24 lines 64-67).

Re claim 35, Sonnenfeld teaches the modules including a create a test/quiz module (column 8 lines 46-48), and an insta test/quiz module for allowing the user to create, print tests/quizzes manually or automatically (column 30 lines 55-65), by various classifications (column 2 lines 2-20), and further allowing the user to assign marks to each question, by "FIND" conditions (column 39 lines 47-55).

Re claim 36, Sonnenfeld teaches the create a test/quiz module enables verifying, using a backtracking utility (column 5 lines 32-33), whether any of the questions being selected for the test/quiz, have been used during any user specified earlier period for the person(s) who will face the test/quiz (column 5 lines 24-25), avoiding duplication of questions (column 21 lines 45-47).

Re claim 37, Sonnenfeld teaches the modules including a scheduler module for allowing the user to schedule data by "FIND" conditions, and said data is brought up on the user's computer system at preset time intervals (column 10 lines 21-23).

Re claim 38, Sonnenfeld teaches the modules include an export module for allowing the user to export data from the databank, said data having been selected by the user by "FIND" conditions (column 6 lines 1-3).

Re claim 39, Sonnenfeld teaches the modules include an import module for allowing the user to import data built by one or more other users (column 9 line 20).

Re claim 40, Sonnenfeld teaches the import module further includes a utility for selectively importing the data (column 9 lines 33-36).

Re claim 42, Sonnenfeld teaches the data input organizing and management module further includes a utility for copying of existing classification and previously

entered data, for new data input by the user (column 26 lines 30-32), for ease of data entry, with a choice of defining the extent of the details to be copied (column 45 lines 63-67 and column 46 lines 1-6).

Re claim 44, Sonnenfeld teaches the modules include a reports module (column 9 lines 56-57) for allowing a user to print reports (column 30 lines 55-65), graphs about the data in the databank by FIND conditions (column 61 lines 37-40).

Re claim 48, Sonnenfeld teaches the modules including a tools/help menu options for allowing the user to select an option for customization including system maintenance and updating of database (column 16 lines 17-28).

Re claim 49, Sonnenfeld teaches the modules including a master module for allowing the user to create and store masters for well-defined classifications (column 8 lines 28-30).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonnenfeld 6112049 in view of O'Brien 6651071.

Re claim 33, Sonnenfeld teaches the invention as discussed above. In addition, Sonnenfeld further teaches print a test module (column 30 lines 55-65), individual test

Art Unit: 4138

report module (column 9 lines 56-57), and an overall evaluation report module (column 9 lines 59-65).

However, Sonnenfeld fails to teach the following claimed limitations as taught by O'Brien: the modules include a self-evaluation test module (column 3 lines 4-6), invoke and store self-evaluation tests (column 6 lines 14-16).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sonnenfeld's invention in view of O'Brien in order to enable a student to quickly identify where further work is required and the types of courses that will meet the deficient ability levels as taught by O'Brien (column 3 lines 21-23).

Re claim 34, Sonnenfeld teaches the invention as discussed above. In addition, Sonnenfeld further teaches a utility for viewing a replay of a self-evaluation test along with the user's actions performed and to obtain reports of such replays (column 62 lines 46-54).

However, Sonnenfeld fails to teach the following claimed limitations as taught by O'Brien: the modules include a self-evaluation test module (column 3 lines 4-6), and report self-evaluation tests (column 6 lines 14-16).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sonnenfeld's invention in view of O'Brien in order to enable a student to quickly identify where further work is required and the types of courses that will meet the deficient ability levels as taught by O'Brien (column 3 lines 21-23).

Art Unit: 4138

9. Claims 41 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonnenfeld 6112049 in view of Blonder 5760771.

Re claim 41, Sonnenfeld teaches the invention as discussed above. In addition, Sonnenfeld further teaches a global changes module (column 5 lines 9-15), for allowing the user to modify records, delete records, mark records as "Set for Practice" or "Mastered", "Public" or "Private" (column 8 lines 17-31), attach image, animation, sound files, associate more information to a record in the form of URLs, files, remarks, translate records, individually as well as globally (column 5 lines 2-6).

However, Sonnenfeld fails to teach the following claimed limitations as taught by Blonder: bookmark records (column 5 lines 12-20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sonnenfeld's invention in view of Blonder in order to provide a system and method for providing a structured, organized tour of hypertext files as taught by Blonder (column 2 lines 42-44).

Re claim 45, Sonnenfeld teaches the invention as discussed above. In addition, Sonnenfeld further teaches the "FIND" conditions are defined by classifications (column 6 lines 26-52), as well as by keywords, separators, file attachments, associations (column 22 lines 52-59), including whether or not a record is marked as "Set for Practice" or "Mastered" or either, "Private" or "Public" or either (column 8 lines 17-31), practice session title, test/quiz title, test/quiz venue, category and sub categories (column 25 lines 28-46).

However, Sonnenfeld fails to teach the following claimed limitations as taught by Blonder: bookmark records (column 5 lines 12-20), attachment remarks, association remarks, import remarks, or bookmark remarks (column 5 lines 46-48).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sonnenfeld's invention in view of Blonder in order to provide a system and method for providing a structured, organized tour of Hypertext files as taught by Blonder (column 2 lines 42-44).

10. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sonnenfeld 6112049 in view of Blonder 5760771 and further in view of O'Brien 6651071. Sonnenfeld i.v., Blonder teaches the invention as discussed above. In addition, Sonnenfeld further teaches the "FIND" conditions allow the user to avoid questions that may have been faced by the user in before a specified number of days and/or for a specified number of times and/or based on a score that the user achieved on the questions during a specified period of time (column 8 lines 8-26).

However, Sonnenfeld i.v., Blonder fails to teach the following limitations as taught by O'Brien: the modules include a self-evaluation test module (column 3 lines 4-6), invoke and store self-evaluation tests (column 6 lines 14-16).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sonnenfeld i.v., Blonder invention further in view of O'Brien in order to enable a student to quickly identify where further work is required and the types of courses that will meet the deficient ability levels as taught by O'Brien (column 3 lines 21-23).

11. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sonnenfeld 6112049 in view of Budra 6726486. Sonnenfeld teaches the invention as discussed above.

However, Sonnenfeld fails to teach the following claimed limitations as taught by Budra: the modules including a recycle bin module for allowing the user to restore or permanently remove a record individually or plurally from the system (column 9 lines 45-47).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sonnenfeld's invention in view of Budra in order to provide a computing device for training a student to categorize words into a plurality of categories as taught by Budra (column 2 lines 42-44).

12. Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sonnenfeld 6112049 in view of Parry 6077085. Sonnenfeld teaches the invention as discussed above.

However, Sonnenfeld fails to teach the following claimed limitations as taught by Parry: the modules including a translation module for allowing translation of a record from one language into another of user's choice, individually or globally (column 11 lines 37-40).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sonnenfeld's invention in view of Parry in order to provide a learning

Art Unit: 4138

system that can accommodate students with differing native languages as taught by Parry (column 2 lines 44-46).

13. Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sonnenfeld 6112049 in view of Lundberg 5980264. Sonnenfeld teaches the invention as discussed above.

However, Sonnenfeld fails to teach the following claimed limitations as taught by Lundberg: the modules include a screen saver module for allowing the user to display the data in the databank as screen savers (column 2 lines 30-37).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sonnenfeld's invention in view of Lundberg in order to provide a customizable screen saver program that can display information or questions and answers and score the user's performance as taught by Lundberg (column 1 lines 32-34).

14. Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sonnenfeld 6112049 in view of Parry 6077085 and further in view of Sweitzer 6018617.

Sonnenfeld i.v., Parry teaches the invention as discussed above. In addition, Parry teaches the use of flash cards (column 13 lines 13-15).

However, Sonnenfeld i.v., Parry fails to teach the following limitations as taught by Sweitzer: a utility which allows the user to print worksheets from the data in the databank (column 4 lines 9-13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sonnenfeld i.v., Parry invention further in view of Sweitzer in order to provide a system for producing tests with the capability of formatting mathematical expressions that be printed and displayed in a uniform manner as taught by Sweitzer (column 2 lines 45-48).

15. Claim 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sonnenfeld 6112049 in view of Naughton 6154209. Sonnenfeld teaches the invention as discussed above. In addition, Sonnenfeld further teaches the modules and utilities are adapted to be operated within a browser (column 12 lines 42-47), other viewing and/or processing programs and to operate on computers (column 12 lines 55-65).

However, Sonnenfeld fails to teach the following claimed limitations as taught by Naughton: utilities are adapted to be operated within hand held devices (column 3 lines 65-67 and column 4 lines 1-12).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sonnenfeld's invention in view of Naughton in order to provide an intuitive graphical user interface displayed on a hand-held display device as taught by Naughton (column 3 lines 21-24).


Conclusion


16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as per the attached Noticed of References Cited.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin L. Carlos whose telephone number is 571-2703077. The examiner can normally be reached on 7:30am-5:00pm EST Mon-Fri. (alternate Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on 571-2724828. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


ALC
11/06/2007


KIMBERLY S. SMITH
PRIMARY EXAMINER
11/06/07